

Remarks

[0001] Herein, the "Action" or "Office Action" refers to the Office Action dated January 16, 2007.

[0002] Applicant respectfully requests reconsideration and allowance of all pending claims of the application. Claims 1, 4, 5, 7-12, 14, 15, and 17-32 are presently pending. Claims amended herein are 1, 12, 15, 22, and 28. Claim 6 is canceled herein. New claims added herein are None.

Formal Request for an Interview

[0003] If the Office's reply to this communication is anything other than allowance of all pending claims, then Applicant formally requests an interview with the Examiner of this patent application. I encourage the Examiner to contact me—the undersigned attorney for the Applicant—to schedule a date and time for a telephone interview that is most convenient for both of us. Please email me at chrisf@leehayes.com. Should you contact me by email, please copy my assistant Carly Taylor (carly@leehayes.com) as well. While email works great for me, I welcome you to call either of us as well.

Substantive Claim Rejections

35 U.S.C. §101 Claim Rejections

[0004] Claims 1, 4-5, and 7-11 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter (*Office Action* p.2). More specifically, the Office indicated that the claims do not recited a practical application by producing a useful, concrete, and tangible result (*Office Action* p.2). Appropriate correction has been made herein.

35 USC § 102 Claim Rejections

[0005] Claims 1, 4, 11-12, 2, 23, 28, and 30-31 are rejected under 35 U.S.C. §102(e) as being anticipated by International Publication No. WO 01/757736 to Arora et al. (hereinafter, "Arora International") (*Office Action* p. 3).

[0006] Applicant respectfully traverses the rejections, and requests reconsideration and allowance in light of the comments and amendments contained herein. Accordingly, Applicant requests that the rejections be withdrawn and that the case be passed along to issuance.

[0007] Claim 1 recites a method for localizing information resources relevant to a user, the method implemented at least in part by a computing device, comprising:

establishing an extensible list of attributes of various information resources in an information system and assigning a user-selectable priority weight to each of the attributes in the list of attributes, wherein each information resource is classified according to one or more attributes;

establishing an extensible list of values for the attributes in the extensible list of attributes, wherein each value is associated in the list with its corresponding attribute;

selecting a first set of one or more of the values from the extensible list of values to be a first set of target criteria to designate a subset of the information resources relevant to the user, wherein the user-selectable priority weights of each attribute associated with a value in the first set of target criteria are added to obtain a priority sum for the first set of target criteria;

selecting additional sets of target criteria to designate a spectrum of subsets of the information resources relevant to the user;

comparing a priority sum of each additional set of target criteria to the priority sum of the first set of target criteria to determine whether each of the additional sets of target criteria designates a more general or a more specific subset of information resources relevant to the user than designated by the first set of target criteria; and

localizing information resources and content elements in the information system for the user of the information system by presenting the user with one or more of the subsets of the information resources relevant to the user which are designated by one or more of the first set of target criteria and the additional sets of target criteria.

[0008] In order for Arora International to anticipate this claim, Applicant submits that Arora International must disclose each and every element and feature of the claim and that they must be arranged in the same manner as the claim. Applicant respectfully submits that Arora International does not disclose all of the claimed elements and features of claim 1.

[0009] For example, Arora International does not show or disclose "selecting a first set of one or more of the values from the extensible list of values to be a first set of target criteria to designate a subset of the information resources relevant to the user, wherein the user-selectable priority weights of each attribute associated with a value in the first set of target criteria are added to obtain a priority sum for the first set of target criteria" and "selecting additional sets of target criteria to designate a spectrum of subsets of the information resources relevant to the user" and then "comparing a priority sum of each additional set of target criteria to the priority sum of the first set of target criteria to determine whether each of the additional sets of target criteria designates a more general or a more specific subset of information resources relevant to the user than designated by the first set of target criteria", as recited in claim 1 (Emphasis Added).

[0010] To support its assertion of anticipation with regard to the comparing element of claim 1, the Office cites Arora International, page 11, line 32 – page 12, line 7, and asserts that "Arora's quality of the match is equivalent to the claimed comparing of priority sums of targets." (Office

Action, page 5.) Applicant respectfully disagrees with the suggested equivalency.

[0011] Started simply, the “quality of the match” described in Arora International is a matching of preferences of two different sides of a transaction, for example, both buyer and seller preferences can be taken into account when creating a match (*Arora International*, Abstract).

[0012] In contrast, the comparison of claim 1 is focused on determining which subset of information is more relevant to a single user. More specifically, claim 1 describes comparing a priority sum (*i.e.*, representing a first set of target criteria which designate a subset of the information resources relevant to the user) with priority sums (*i.e.*, representing each of the additional sets of target criteria relevant to the user) to determine whether each of the additional sets of target criteria designates a more general or a more specific subset of information resources relevant to the user than was designated by the first set of target criteria. The claimed comparing is not directed to comparing preferences of two different sides of a transaction, as described in Arora International.

[0013] As support for this position, the Applicant cites to Arora, page 11, lines 32-33 which state that, “[t]he quality of the match between buyer 1 and seller 1 depends on both the quality of the match on any given attribute and its importance.” Further, Arora, page 12 lines 8-26 provide a description of how the “quality of the match” is calculated, and states:

To achieve a total match score for any given party to a match, two records are chosen, *e.g.*, the record of the worker who is shopping for a job and one of the many potential employers who are shopping for workers. Then the matching engine calculates ... a score.

After each party's view of the match is calculated, an overall match score for a pair of agents is computed as a function of each party's score. In the example above, there would be a score that relates the worker's view of the match with the employer in question. But there is also that employer's view of the match with the worker in question. Both are taken into account to get the overall match score. In this way, the algorithm allows for the value of a match to be a function of both the buyer's view of the seller as well as the seller's view of the buyer.

Arora clearly describes a comparison between two resources (*i.e.*, a buyer's preferences and a seller's preferences) that results in two different match values (*i.e.*, the buyer's view of the match and the seller's view of the match), which are then combined to determine an overall match score.

[0014] In contrast claim 1, recites, "selecting a first set of one or more of the values from the extensible list of values to be a first set of target criteria to designate a subset of the information resources relevant to the user, wherein the user-selectable priority weights of each attribute associated with a value in the first set of target criteria are added to obtain a priority sum for the first set of target criteria" and "selecting additional sets of target criteria to designate a spectrum of subsets of the information resources relevant to the user" and then "comparing a priority sum of each additional set of target criteria to the priority sum of the first set of target

criteria to determine whether each of the additional sets of target criteria designates a more general or a more specific subset of information resources relevant to the user than designated by the first set of target criteria", as recited in claim 1 (Emphasis Added).

[0015] Accordingly, for at least these reasons, claim 1 is allowable over Arora, and Applicant respectfully requests that the 102 rejection be withdrawn.

[0016] Claims 4 and 11 are allowable by virtue of their dependency upon claim 1. Additionally, claims 4 and 11 may be allowable over Arora International for independent reasons.

[0017] Claim 12 recites one or more computer-readable media encoded with a data structure, comprising:

an extensible table of attributes, wherein various content elements in an information system possess values of the attributes and wherein each attribute in the extensible table of attributes is associated with a priority weight assigned by a user and which is used for weighting purposes during a localization of content elements relevant to the user;

an extensible table of values of the attributes, wherein each value is associated with its corresponding attribute; and

multiple sets of one or more values to designate multiple subsets of content elements, wherein a priority weight of each attribute associated with each value in each set is summed to determine a priority sum of the respective set and the priority sums of respective sets in the multiple sets can be compared to determine similarities and differences between subsets of content elements designated by the multiple sets whereby the content elements relevant to the user can be localized.

In order for Arora International to anticipate this claim, Applicant submits that Arora International must disclose each and every element and feature of the claim and that they must be arranged in the same manner as the claim. Claim 12 is rejected under similar rational as set forth in the rejection of claim 1, and Applicant respectfully submits that based on reasoning similar to that discussed above in response to the rejection of claim 1, Arora International does not disclose all of the claimed elements and features of claim 12. For example, with regard to the multiple sets of one or more values, Arora International Arora describes a comparison

between two resources (i.e., a buyer's preferences and a seller's preferences) that results in two different match values (i.e., the buyer's view of the match and the seller's view of the match), which are then combined to determine an overall match score. In contrast, claim 12 recites that "the multiple sets can be compared to determine similarities and differences between subsets of content elements designated by the multiple sets whereby content elements relevant to the user can be localized." The claimed multiple sets are each relevant to the user, they are not associated with two different sides of a transaction, as described in Arora International. For the sake of brevity, Applicant has not repeated all of the arguments.

[0018] Accordingly, claim 12 is allowable over Arora International for at least these reasons, and Applicant respectfully requests that the §102 rejection be withdrawn.

[0019] **Claim 22** recites one or more computer readable media containing instructions that are executable by a computer to perform actions, comprising:

associating priority weight values assigned by a user with attributes in a dynamic list of attributes associated with a plurality of information resources in an information system;

associating instances of attribute values with corresponding attributes in a dynamic list of attribute values;

designating subsets of the plurality of information resources based on sets of one or more of the attribute values;

comparing the sets of one or more attribute values according to respective priority sums to determine which of the one or more of the subsets of the plurality of information resources are more relevant to the user, wherein a priority sum is obtained by summing priority weight values assigned by the user associated with each attribute corresponding to an attribute value in a set of one or more of the attribute values.

[0020] In order for Arora International to anticipate this claim, Applicant submits that Arora International must disclose each and every element and feature of the claim and that they must be arranged in the same manner as the claim. Claim 22 is rejected under similar rational as set forth in the rejection of claim 1, and Applicant respectfully submits that based on reasoning similar to that discussed above in response to the rejection of claim 1, Arora International does not disclose all of the claimed elements and features of claim 22. For the sake of brevity, Applicant has not repeated all of the arguments.

[0021] Accordingly, claim 22 is allowable over Arora International for at least these reasons, and Applicant respectfully requests that the §102 rejection be withdrawn.

[0022] **Claim 23** is allowable by virtue of its dependency upon claim 22. Additionally, claims 23 may be allowable over Arora International for independent reasons.

[0023] **Claim 28** recites an information system, embodied at least in part as a computing device, comprising:

a plurality of information resources, each having one or more attributes;

an extensible table of the attributes, wherein each attribute is assigned a weight by a user;

an extensible table of values for the attributes, wherein each value is associated with its corresponding attribute; and

sets of the values, wherein each set specifies a subset of the information resources relevant to the user, and wherein each set can be differentiated as being a more general or a more specific subset of information relevant to the user by the sum of the weights assigned by the user to of each attribute represented by a value in each set.

[0024] In order for Arora International to anticipate this claim, Applicant submits that Arora International must disclose each and every element and feature of the claim and that they must be arranged in the same manner as the claim. Claim 28 is rejected under similar rational as set forth in the rejection of claim 1, and Applicant respectfully submits that

based on reasoning similar to that discussed above in response to the rejection of claim 1, Arora International does not disclose all of the claimed elements and features of claim 28. For the sake of brevity, Applicant has not repeated all of the arguments.

[0025] Accordingly, claim 28 is allowable over Arora International for at least these reasons, and Applicant respectfully requests that the §102 rejection be withdrawn.

[0026] Claims 30 and 31 are allowable by virtue of their dependency upon claim 28. Additionally, claims 30 and 31 may be allowable over Arora International for independent reasons.

35 USC § 103 Claim Rejections

[0027] Claims 5, 14, 15, 17-21, 24, 25, and 32 are rejected under 35 U.S.C. §103(a) for obviousness over Arora International in view of U.S. Patent Application Publication No. 2003/0130887 to Nathaniel (hereinafter, "Nathaniel") (*Office Action* p. 10).

[0028] Claims 7-10, 26, 27, and 29 are rejected under 35 U.S.C. §103(a) for obviousness over Arora International in view of U.S. Patent Application Publication No. 2002/0032638 to Arora et al. (hereinafter, "Arora US") (*Office Action* p. 22).

[0029] Applicant respectfully traverses each of these 35 U.S.C. §103 rejections, and requests reconsideration and allowance in light of the comments and amendments contained herein.

[0030] **Claim 15** recites a content management engine, comprising:

a classification engine to determine attributes of a plurality of information resources in an information system;

an attribute table manager in communication with a dynamic table of attributes and priorities, wherein the dynamic table of attributes and priorities includes the attributes of the plurality of information resources;

a prioritizer which accepts user input to assign priority weights to each attribute in the table of attributes and priorities;

a values table manager in communication with a dynamic table of values, wherein each value and its associated attribute possessed by one of the information resources is represented in the table of values;

a target criteria engine to create target criteria sets of one or more of the values, wherein a target criteria set designates a subset of the information resources in the information system based on the one or more values; and

a localization engine to make information resources in the subset available to a user of the information system, having a target criteria set comparator to compare a priority sum of user assigned priority weights for a first target criteria set to a priority sum of user assigned priority weights for a second target criteria set to determine which of first and second target criteria sets locate information resources which are more relevant to the user, wherein a priority sum is the sum of the priority weights of the values in a given target criteria set.

[0031] Arora International and/or Nathaniel do not teach or suggest the combination of features recited in claim 15. The Office acknowledges that Arora International does not explicitly describe a localization engine as recited in claim 15, and relies on Nathaniel as disclosing this element of the claim (*Office Action*, p. 15).

[0032] However, Nathaniel fails to cure the deficiencies of Arora International, as Nathaniel does not teach or suggest "a localization engine to make information resources in the subset available to a user of the information system, having a target criteria set comparator to compare a priority sum of user assigned priority weights for a first target criteria set to a priority sum of user assigned priority weights for a second target criteria set to determine which of first and second target criteria sets locate information resources which are more relevant to the user, wherein a priority sum is the sum of the priority weights of the values in a given target criteria set", as recited in claim 15.

[0033] Instead, Nathaniel describes a method for scheduling delivery of content (*e.g.*, advertisements to consumers) via a plurality of network devices (*e.g.*, set top boxes, computers with internet, etc). The scheduling is such that a Delivery Manager 54 generates the best plan for the current day's scheduled deliveries (*Nathaniel*, p.3 [0026]). The Delivery Manager 54 Numerous includes several factors such as minimizing cost of delivery when generating the plan (*Nathaniel*, p.4 [0032]).

[0034] Therefore, Nathaniel does not teach or suggest a localization engine to compare "a priority sum of user assigned priority weights for a first target criteria set" to "a priority sum of user assigned priority weights for a second target criteria set" in order to "determine which of first and second target criteria sets locate information resources which are more relevant to the user", as recited in claim 15.

[0035] **Claims 17-21** are allowable over the Arora International-Nathaniel combination by virtue of their dependency upon claim 15. Claims 17-21 may also be allowable over the Arora International-Nathaniel combination for independent reasons.

[0036] **Claims 5, 14, 24, 25, and 32** are rejected under 35 U.S.C. §103(a) as being obvious over Arora International in view of Nathaniel. The Applicant notes that none of the claims 5, 14, 24, 25, and 32 are independent claims, and that each of these claims ultimately depend from one of the independent claims (here claims 1, 22, and 28 respectively). Applicant further notes that it is axiomatic that any dependent claims which depend from an allowable base claim are also allowable, and therefore the Applicant does not believe that it is necessary to present arguments in favor of claims 5, 14, 24, 25, and 32, as these claims should be allowable for at least the reasons discussed above in response to rejection of the independent claims, as well as for their own recited features which are neither shown nor supported by the cited references. Further, Applicant notes that Nathaniel fails to cure the deficiencies described above with respect to Arora International, and the §102 rejections of claims 1, 22, and 28.

[0037] Accordingly, Applicant requests that the §103 rejection be withdrawn and that claims 5, 14, 24, 25, and 32 be allowed in the next

[0038] **Claims 7-10, 26, 27, and 30** are rejected under 35 U.S.C. §103(a) as being obvious over Arora International in view of Arora US.

The Applicant notes that none of the claims 7-10, 26, 27, and 30 are independent claims, and that each of these claims ultimately depend from one of the independent claims (here claims 1, 22, and 28 respectively). Applicant further notes that it is axiomatic that any dependent claims which depend from an allowable base claim are also allowable, and therefore the Applicant does not believe that it is necessary to present arguments in favor of claims 7-10, 26, 27, and 30, as these claims should be allowable for at least the reasons discussed above in response to rejection of the independent claims, as well as for their own recited features which are neither shown nor supported by the cited references. Further, Applicant notes that Arora US fails to cure the deficiencies described above with respect to Arora International, and the §102 rejections of claims 1, 22, and 28.

[0039] Accordingly, Applicant requests that the §103 rejection be withdrawn and that claims 7-10, 26, 27, and 30 be allowed in the next Action.

Dependent Claims

[0040] In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant submits that the Office withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0041] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: April 12, 2007

By: 

Christen Fairborn
Reg. No. 55,164
(509) 324-9256 x249
chrisf@leehayes.com
www.leehayes.com